

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

SELAM SELAH,

Plaintiff,

v.

**9:08-CV-1370
(FJS)**

**BRIAN FISCHER, Commissioner, New York State
Department of Correctional Services;
DARWIN LACLAIR, Superintendent;
MRS. JOBEN, Nurse, Franklin Correctional Facility;
SGT. TULIP, Supervisor; CORRECTIONS
OFFICER #1; CORRECTIONS OFFICER #2,**

Defendants.

ORDER

The Court hereby **ORDERS** that Plaintiff's submission, *see* Dkt. No. 28, in the above-entitled action is **STRICKEN** for the following reason:

[x] It is unclear what relief, if any, Plaintiff is seeking from the Court with this submission. Any relief that a party seeks must be in the form of a motion that complies with the Local Rules. Depending on the type of motion being filed, generally motions must contain (1) a Notice of Motion; (2) a memorandum of law; (3) a supporting affidavit, which "must not contain legal arguments but must contain factual and procedural background that is relevant to the motion the affidavit supports;" and (4) proof of service on all parties. *See* L.R. 7.1(a).

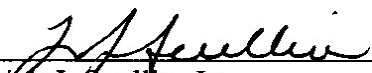
Furthermore, Plaintiff's request that the Clerk of the Court serve these papers is **DENIED**. *See* L.R. 5.1(a) ("All pleadings and other papers shall be served and filed in accordance with the Federal Rules of Civil Procedure and shall be in the form prescribed by L.R. 10.1. The party or its designee shall declare, by **affidavit or certification**, that **it has provided**

all other parties in the action with all documents it has filed with the Court.") (emphasis added). The Clerk's Office shall not forward copies of Plaintiff's submission(s) to opposing counsel. **All future submissions to the Court must contain such an affidavit or certification.**

Finally, the Court advises Plaintiff that it will address his pending motions in due course.

IT IS SO ORDERED.

Dated: February 23, 2009
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge